

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
WEST PALM BEACH DIVISION

CASE NO. 07-60534CIV-

DIMITROULEAS

Magistrate Judge Seltzer

HOWARD K. STERN,

Plaintiff,

vs.

JOHN O'QUINN,

Defendant.

\_\_\_\_\_ /

**(PROPOSED) SCHEDULING AND DISCOVERY ORDER**

THIS CAUSE is before the Court upon receipt of the Parties' Joint Scheduling and Discovery Report. It is thereupon **ORDERED AND ADJUDGED** as follows:

(a) **Discovery Track:** This case is assigned to the Complex Track pursuant to Local Rule 16.1(A)(2)(c).

(b) **Discovery Schedule:** The schedule agreed to by the parties is as follows:

1. Initial third-party discovery from media entities, law enforcement and medical entities and other third-parties will last three to six

months and will commence after Initial Disclosures are exchanged by September 10, 2007 and will run through March 7, 2008, subject to any objections and motions made by third parties and rulings thereon;

2. “Formal” Discovery between the parties and other third-parties will commence after third-party discovery ends and will last six months and will run through September 5, 2008, subject to the end of initial third-party discovery;

3. Expert discovery will commence after the formal discovery period is ended and will last two months, and will run through November 7, 2008 subject to the end of the formal discovery period; and

4. The Parties will preserve and exchange all electronic information as provided under Fed. R. Civ. P. 26;

5. The Parties will submit a supplemental Scheduling Report and Discovery Plan within 30 days after the Court has ruled on the Motion to Dismiss and, alternatively, Motion to Transfer updating the dates set forth above to reflect the status of initial third-party discovery at that time.

**(c) Agreements Concerning Privilege Issues:** The Parties will confer and enter an agreement concerning the assertion of claims of privilege and protection of trial preparation material after production;

(d) **Join Parties and Amend Pleadings:** All additional parties will be joined and all amendments to pleadings will be made by December 1, 2007.

(e) **Filing of Pretrial Motions:** All pretrial motions will be filed by \_\_\_\_\_.

(f) **Resolution of Pretrial Motions:** The Court will resolve all pretrial motions by \_\_\_\_\_.

(g) **Need for Rule Variations:** The depositions of the Plaintiff and Defendant may exceed the limitations set forth in S.D. Fla. L.R. 26(k) and may exceed one seven (7) hour day each.

(h) **Date Certain For Pretrial Conference:** The Pretrial Conference (if one is to be held) will be held \_\_\_\_\_.

(i) **Date Certain For Trial:** The trial will be held \_\_\_\_\_.

**DONE AND ORDERED** in Chambers at Fort Lauderdale, Broward County, Florida, this \_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
William P. Dimitrouleas  
United States District Judge

*Respectfully submitted by:*

s/ M. Krista Barth

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